GOVERNMENT OF INDIA
ELECTRONICS AND INFORMATION TECHNOLOGY
LOK SABHA

UNSTARRED QUESTION NO:2499
ANSWERED ON:30.11.2016
Content on Networking Sites
Patil Shri Kapil Moreshwar;Singh Shri Sunil Kumar

Will the Minister of ELECTRONICS AND INFORMATION TECHNOLOGY be pleased to state:

Will the Minister of Electronics and Information Technology be pleased to state:-
(a) whether the Government has directed some social networking sites to remove certain objectionable contents from their websites;
(b) if so, the details and the number of demands made during the last three years and the current year;
(c) response of each of such site and the action taken by the Government against the websites which have not acceded to the demand of the Government;
(d) whether some persons have been arrested recently under section 66A of Information Technology Act;
(e) if so, the details thereof and the reasons therefor; and
(f) the action taken by the Government in this regard?

Answer

(a) and (b) : Government does not regulate the content appearing on social networking sites. Information Technology (IT) Act, 2000 has provisions for removal of objectionable online content. The Information Technology (Intermediary Guidelines) Rules 2011 notified under section 79 of the IT Act requires that the Intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resources not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way.

Moreover, section 69A of IT Act, 2000 provides for blocking for access of information under specific conditions.
Orders for blocking of 1,377 URLs of social media websites/webpages were issued in 2013 - 2016 (upto 30th October 2016) under section 69A through the committee constituted under the Rules therein. Further, order for blocking 1,670 URLs of social media websites were issued by various Courts of India in 2013-2016 (upto 30th October 2016).

(c): Majority of the social networking sites comply with directions of the Government or Courts. In cases, where social media sites are hosted outside India and the sites fail to expeditiously comply with the orders for blocking, Government remains in touch with them to pursue compliance.

(d), (e) and (f): Hon'ble Supreme Court, in WRIT PETITION in Shreya Singhal vs. Union of India, has struck down section 66A on 24th March 2015. Based on the said direction of Hon'ble Supreme Court, Ministry of Home Affairs has been requested to inform all States / Union Territores, Law Enforcement Agencies and concerned authorities that section 66A of the IT Act, 2000 has been struck down in its entirety with effect from 24th March 2015 and hence cannot be enforced.

****